

ORIGINAL

Of Counsel:  
ALSTON HUNT FLOYD & ING  
Attorneys At Law  
A Law Corporation

PAUL ALSTON 1126-0  
MEI-FEI KUO 7377-0  
American Savings Bank Tower  
1001 Bishop Street, 18<sup>th</sup> Floor  
Honolulu, Hawai'i 96813  
Telephone: (808) 524-1800  
E-Mail: [palston@ahfi.com](mailto:palston@ahfi.com)

Attorneys for Plaintiff  
SYNAGRO TECHNOLOGIES, INC.

**LODGED**

27 MAR 29 2006

CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

MAR 30 2006

at 1 o'clock and 20 min. AM  
SUE BEITIA, CLERK *By*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SYNAGRO TECHNOLOGIES, INC.,	)	CIVIL NO. CV04-00509 SPK LEK
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER TO (1)</b>
	)	<b>VACATE TRIAL DATE, TRIAL-</b>
vs.	)	<b>RELATED DEADLINES, (2) SET</b>
	)	<b>BRIEFING ON PLAINTIFF'S</b>
GMP HAWAII, INC.,	)	<b>MOTION FOR ATTORNEYS' FEES</b>
	)	<b>AND COSTS, AND (3) DISMISS</b>
Defendant.	)	<b>CLAIMS</b>
	)	
	)	
	)	

**STIPULATION AND ORDER TO (1) VACATE TRIAL DATE, TRIAL-RELATED  
DEADLINES, (2) SET BRIEFING ON PLAINTIFF'S MOTION FOR  
ATTORNEYS' FEES AND COSTS, AND (3) DISMISS CLAIMS**

Plaintiff SYNAGRO TECHNOLOGIES, INC. and Defendant GMP

HAWAII, INC., by and through their respective counsel, HEREBY STIPULATE:

(1) The trial date, currently scheduled to commence on May 2,  
2006, and all trial-related deadlines in the above-captioned case are vacated;

(2) Upon approval of this stipulation, the Court will set a briefing schedule and hearing date for Plaintiff's Motion for Attorneys' Fees and Costs ("Plaintiff's Motion"), and schedule a settlement conference on the disputed issue of attorneys' fees and costs;

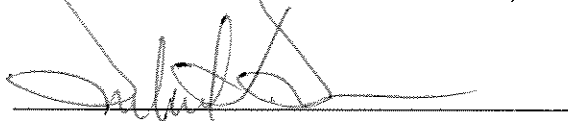
(3) The Plaintiff will file its Motion by April 21, 2006. That motion will be heard by Magistrate Judge Leslie E. Kobayashi, pursuant to Local Rule ("LR") 53.1 of the Rules of the United States District Court for the District of Hawai'i, and the parties reserve their right to have the decision reviewed by Judge Samuel P. King, pursuant to LR 53.2; and

(4) After the Court has rendered its final decision and order on Plaintiff's Motion, the Parties will dismiss the remaining claims in this action with prejudice. Thereafter, an appropriate final judgment will entered based upon the foregoing.

Honolulu, Hawai'i, MAR 29 2006



PAUL ALSTON  
MEI-FEI KUO  
Attorneys for Plaintiff  
SYNAGRO TECHNOLOGIES, INC.



MICHAEL R. MARSH  
TED N. PETTIT  
RICHARD C. SUTTON, JR.  
Attorneys for Defendant  
GMP HAWAII, INC.

APPROVED AND SO ORDERED



Samuel P. King

JUDGE OF ABOVE-ENTITLED COURT

---

*Synagro Technologies, Inc. v. GMP Hawai'i, Inc.*, Civ. No. CV04-00509 SPK LEK;  
STIPULATION AND ORDER TO VACATE TRIAL DATE AND TRIAL RELATED  
DEADLINES PENDING BRIEFING ON PLAINTIFF'S MOTION FOR ATTORNEYS' FEES  
AND COSTS